



**ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING NOTICE**

September 10, 2019

7:30 pm @ Community Development Department

Case #27-2019: Parcel 13-D-70

Applicant – Gottesman & Hollis, P.A.

Owner – Kayrouz Realty NH, LLC

Location – 57 Rockingham Road

**Zoning District - Commercial A Dist. and Wetland & Watershed Protection Dist. (WWPD)
and Aquifer Protection District (APD)**

Variance relief is requested to allow expansion at two parcel locations of an existing Retail Fueling Center (with Convenience Store) from the following **Section(s) 401, 601.3 and 609.4.1.12; Sec. 401** to allow on the southern/left side of the parcel an increase of a pre-existing non-conforming use of the property as a Retail Fueling Center with the proposed addition of approx. 570 s.f. of a new canopy extension added to the existing 1835 sf. canopy with supports and addition of one (1) new dispenser pump station with foundation to the existing three (3) dispenser pumps and to allow on the northern/right side of the parcel the addition of a new dispenser pump station having two (2) new dispenser pumps with a foundation and underground fuel line and a canopy of approximately 750 s.f. with supports to replace an existing 1632 sf. restaurant building which is to be demolished. **Sec. 601.3** to allow on the southern/left side of the parcel the addition to the existing three (3) dispenser pump station with a canopy over of one (1) new dispenser pump (with canopy over) and to allow on the northern/right side of the parcel the addition of one (1) new dispenser station with a canopy over having two (2) dispenser pumps, foundation and supports and an underground fuel line to the existing fuel tanks, all within the WWPD where development of structures within the WWPD are not allowed. **Sec. 609.4.1.12** to allow an increase in the number of dispenser pumps, where gasoline stations are not a permitted use in the APD.

Case #28-2019: Parcel 21-K-40

Applicant – Jeffrey Moulton (Moulton Engineering, PLLC)

Owner – Lori & Steven Theriault

Location – 42 Turtle Rock Road

Zoning District – Residential A; Cobbetts Pond & Canobie Lake Watershed Prot. District

Variance relief is requested to allow construction of a replacement home within the existing house footprint on the existing foundation and replace the existing 30'x20' garage and relocate and construct a 26'x24' garage on a pre-existing non-conforming lot, with two frontages; (Cobbetts Pond and Turtle Rock Rd.) from the following **Section(s) 405.2, 406.2, 702 & Appendix A-1; Section(s) 405.2** to allow an increase in volume in the pre-existing non-conforming structure. **Sec. 406.2** to allow an expansion in the volume of the house from 960 sf to 2,459 sf where the ordinance does not allow an addition to result in further non-conformance. **Sec. 702 & Appendix A-1** to allow a lot size of 9,757 sf where a minimum land area of 50,000 sf is required and to allow 50' of roadside frontage, where 175' is required.

To allow the house/deck a shoreland setback of 44' where 50' is required, to allow a south side yard setback of 11.3' where 30' is required for the existing house footprint. To allow the garage a 25.5' setback from Turtle Rock Rd where 50' is required and to allow the north side yard setback of 3.5' where 30' is required for the new garage in the Residential A District and Cobbetts Pond & Canobie Lake Watershed Protection District.

Case #31-2019: Parcel 11-A-1724

Applicant – Ruby Holdings, LLC.

Owner – Ruby Holdings, LLC.

Location – 26 Highclere Road

Zoning District – Rural District

Variance Relief is requested from **Section(s) 602.1.9.3.5** to allow an accessory dwelling unit (ADU) to have 1,584 sf, where the accessory dwelling unit may not exceed 950 square feet of occupied floor space in the Rural District.

Case #32-2019: Parcel 18-L-11

Applicant – Edward N. Herbert Associates, Inc.

Owner – Harry Jon Bass

Location – 22 Woodvue Road

Zoning District – Residential A; Cobbetts Pond & Canobie Lake Watershed Prot. District

Variance relief is requested from **Section(s) 702, Appendix A-1 and 703** to allow construction of a detached garage without any living space in the Residential A District and Cobbetts Pond & Canobie Lake Watershed Protection District. Specifically from **Sec. 702 & Appendix A-1** to allow the new detached garage with a 728 sf pad on a pre-existing non-conforming lot of record which contains 32,442 sf, where 50,000 sf is required with 149.85' of frontage on a private road, Woodvue Road, where 175' of frontage on a Class V public road is required and from **Sec. 703** to allow the new detached garage to be located in front of the existing home, where a detached accessory building may be erected in the rear or side yard area in conformance with the yard requirements of the district in which it is located is required, in the Residential A District and Cobbetts Pond & Canobie Lake Watershed Protection District.

Copies of all Zoning Board of Adjustment applications and materials are available for review at the Community Development Department; open Monday – Friday 8am – 4pm